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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTINA ANN JACKSON,

Defendant.

**Case No. CR 17-117-BLG-SPW**

**SENTENCING  
MEMORANDUM**

**I. INTRODUCTION**

Defendant Christina Ann Jackson (Ms. Jackson), by and through her undersigned counsel and in conformity with the Court's scheduling order, offers the following memorandum in aid of sentencing.

## **II. OUTSTANDING OBJECTION**

One outstanding objection with regard to the presentence report (PSR) exists. Namely, the facts do not show Ms. Jackson physically forced the victims to partake in commercial sex acts or that Ms. Jackson compelled the victims to do so by way of an “improper use of economic power.” *See People v. Tenorio*, 2007 Guam 19, 2007 WL 4689038 at \*7 (Guam Terr. 2007) (quotation omitted). The four-level enhancement applied to Ms. Jackson’s base offense level for alleged coercion of the victims should not apply.

## **III. 18 U.S.C. §3353(a) FACTORS**

The relevant sentencing factors are set forth in 18 U.S.C. §3553(a)(2), which we address briefly:

### **(1) Nature and Circumstances of the Offense**

Ms. Jackson stands convicted of transportation of a person with intent to engage in criminal sexual activity, in violation of 18 U.S.C. §2421.

### **(2) History and Characteristics of the Defendant**

Ms. Jackson’s personal background is adequately set forth in the PSR at pages 13-16, ¶¶ 60-75. Relevant to sentencing, we ask this Court to take special note of Ms. Jackson’s upbringing which included exposure to drugs and sexual abuse at a very young age. In fact, Ms. Jackson has a reported history of several significant sexual

traumas which require ongoing treatment. Having not addressed the mental anguish that comes from being sexually abused at the hands of family members and others—and thereby not learning how to break the cycle—Ms. Jackson turned to exploiting her body as a way of life. Ms. Jackson has acknowledged as much, is committed to her continued sobriety, and is a low risk to re-offend.

**(3) Seriousness of the Offense**

Ms. Jackson recognizes that this offense is serious and intends to learn from this and better herself.

**(4) Deterrence and Protection of the Public**

Both deterrence (general and specific) as well as protection of the public will be achieved by varying downward and imposing a sentence of probation as the argument below indicates.

**(5) Promotion of Respect for the Law**

Ms. Jackson has gained a new respect for the law as a result of this prosecution and she deeply regrets having committed the offense.

**(6) Need to Provide Defendant With Education, Training, Medical Care or Other Correctional Treatment**

This factor does not appear relevant. *United States v. Tapia*, 665 F.3d 1059 (9<sup>th</sup> Cir. 2011) (plain error at sentencing to impose or lengthen a federal prison sentence

to promote an offender's rehabilitation).

**(7) The Applicable Guidelines**

Ms. Jackson acknowledges that the advisory guideline range in this case is 33 to 41 months (presuming the four-level enhancement is applied). No statutory mandatory minimum for Ms. Jackson's charge exists. This Court, therefore, has the authority to impose a sentence anywhere from probation to the statutory maximum of ten years imprisonment.

Ms. Jackson respectfully submits that a probationary sentence be imposed in this case given that she is a low risk to re-offend; she has an established and trusting relationship with her counselor at this stage who can address the past sexual traumas she has never dealt with and that led her to her present crime; and she is committed to her sobriety.

**IV. CONCLUSION**

WHEREFORE, Ms. Jackson prays this Court will consider this memorandum and use it in aid of sentencing.

RESPECTFULLY SUBMITTED this 31<sup>st</sup> day of July, 2018.

/s/ Gillian E. Gosch  
GILLIAN E. GOSCH  
Assistant Federal Defender  
Counsel for Defendant

**CERTIFICATE OF SERVICE**  
**L.R. 5.2(b)**

I hereby certify that on July 31, 2018, a copy of the foregoing document was served on the following persons by the following means:

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1. CLERK, UNITED STATES DISTRICT COURT
2. ZENO B. BAUCUS  
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Defendant

/s/ Gillian E. Gosch  
FEDERAL DEFENDERS OF MONTANA